

Application No.: 10/033,883

Docket No.: JCLA3573

REMARKS**Present Status of the Application**

Claims 1, 3-17 are pending of which claims 1 has been amended for clarification purposes, and claims 2-4 and 8-17 have been cancelled. Furthermore, the specification and Figure 1 have been amended to correct informalities, in order to overcome the Examiner's objections. Supporting grounds of the amendments to the specification, claims and drawings can be found at least in the paragraphs [0018]-[0020]. It is believed that no new matter adds by way of amendments made to claims or otherwise to the application. For at least the foregoing reason, Applicants respectfully submit that claims 1 and 5-7 patently define over prior art of record and reconsideration of this application is respectfully requested.

Discussion of objection to Drawings

The Office Action objected to drawings because the coupling relations recited in claim 1 are not shown or incorrectly shown in the drawing.

In response thereto, Applicants would like to thank the Examiner for pointing out the informalities and accordingly Applicants amended Figure 1, where the arrows on the lines connecting the scanner device/the driver device and the driver device/ the controller device have been amended to point from the driver device to the scanner device and from the controller device to the driver device, respectively. Accordingly, claim 1 has been amended in order to recite the

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correct coupling relations. Reconsideration and withdrawal of these objections are respectfully requested.

Discussion of the claim rejection under 35 USC 103

2. The Office Action rejected claims 1 and 3-17 under 35 USC 103(a) as being unpatentable over Suzuki et al. (US-5,231,576, hereinafter Suzuki).

The Applicant has carefully considered the remarks set forth in the Office Action.

Claim 1 has been amended to further define the scanning analyzer unit by defining the driver device as a stepping motor and by incorporating a signal amplifier and an analog/digital converter. Further, the scanner device of the scanning analyzer unit is further defined to include a LED array. Supportive grounds can be found in paragraphs [0018]-[0020] of the specification.

Claims

Applicants submit that amended independent claim 1 patentably defines over the prior reference Suzuki for at least the reason that the cited art fails to teach, suggest or disclose each and every feature as claimed in the present invention.

Independent claim 1 is allowable over for at least the reason that Suzuki fails to teach, suggest or disclose every features of claim 1.

More specifically, Applicants respectfully submit that claim 1 is allowable over Suzuki for at least the reason that Suzuki fails to teach, suggest or disclose "a scanner device, for scanning the testing support suitable for supporting a reaction of analytes in the sample to achieve a color separation, wherein the scanner device outputs a test signal corresponding to

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concentrations of the analytes in response to scanning of the testing support after the reaction of the analytes, and wherein the scanner device comprises a light emission diode (LED) array" or "a stepping motor, coupled to the controller device and the scanner device, for receiving the driver signal and driving the scanner device to measure the concentrations of the analytes".

Instead, Suzuki substantially discloses an apparatus for measuring a (single) constituent of a specimen on the basis of color change, wherein reflected light from the test sample is captured and measured by a photosensor (30b) (See the Abstract, col. 5, lines 29-44). In other words, Suzuki's element 30b, which the Office Action interpreted as equivalent to the scanner device of the claimed invention, is in fact a photosensor (30b) that merely captures the reflected light from the test sample. Furthermore, nothing is mentioned or taught that Suzuki's photosensor 30b includes a LED array. Therefore, it is clear that the photosensor 30b of Suzuki is equivalent to the scanner device of this invention, as recited in claim 1.

Furthermore, although the Office Action also recognized that Suzuki does not even mention the Driver Device coupled to the controller device for receiving the driver signal and driving the scanner device, the Office Action asserted that Suzuki teaches "a LED driver 75 to drive the LED light source 30a" as comparable to the driver device of this invention. As one skilled in the art clearly understands, Suzuki's LED driver 75 is basically a circuit for controlling the on/off of the LED 30a. However, Suzuki's LED driver 75 is evidently not comparable to a stepping motor, as defined in amended claim 1 of this invention.

As such, Suzuki discloses another apparatus, which is not only structurally different but also function in a different manner compared to the claimed invention as discussed above.

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For at least the above reasons, Applicants respectfully submit that claims 1 and 5-7 patentably define over Suzuki and should be allowed. Reconsideration and withdrawal of these 103 rejections are respectfully requested.

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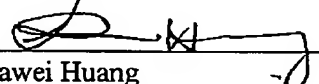
CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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